

DOCKET NO: HER-0052

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7-9-01 #3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Carla H. Kuhner et al.,

Serial No.: 09/881,954

Group Art Unit: Not Yet Assigned

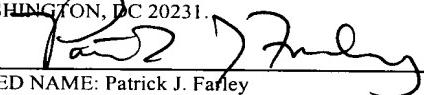
Filing Date: June 15, 2001

Examiner: Not Yet Assigned

**For: PEPTIDES, COMPOSITIONS AND METHODS FOR THE TREATMENT
OF BURKHOLDERIA CEPACIA**

DATE OF DEPOSIT: July 18, 2001

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TYPED NAME: Patrick J. Farley
REGISTRATION NO.: 42,524

Assistant Commissioner for Patents
Washington DC 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:
 - Certification in Accordance with §1.97(e) is attached; or
 - The fee of \$180.00 as set forth in §1.17(p) is attached.
- In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
 - Certification in Accordance with §1.97(e) is attached; or
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- In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
 - In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
 - In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office

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- 3 -

PATENT

in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:

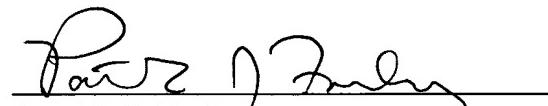
- Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: July 18, 2001



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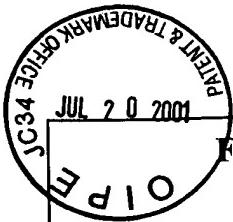
Form PTO-1449 Modified			Docket No. HER-0052	Serial No. 09/881,954
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)			Applicant Carla H. Kuhner et al.	
U.S. Department of Commerce Patent and Trademark Office			Filing Date June 15, 2001	Group Not Yet Assigned
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)				
*	AA	“ <i>A Formulary of Cosmetic Preparations</i> ”, Vol 2, Chapters 7-16, pp 5-484		
*	AB	Goodman and Gilman’s The Pharmacological Basis of Therapeutics (8th edition) pp 1-83		
*	AC	Gutte B., “ <i>Peptides: Synthesis, Structures and Applications</i> ” 1995 , Academic Press, NY		
\	AD	Falla, T.J. et al., "Mode of action of the antimicrobial peptide indolicidin" <i>The Journal of Biological Chemistry</i> 1996 , Vol 271(32), pp 19298-19303		
/	AE	Hancock,R.E.W., "The therapeutic potential of cationic peptides" <i>Exp. Opin. Invest. Drugs</i> , 1998 , 7(2), pp 167-174		
/	AF	Hancock,R.E.W., "Cationic Bactericidal peptides" <i>Advances In Microbial Physiology</i> , 1995 , Vol 37, pp 135-175		
/	AG	Hancock and Lehrer, "Cationic peptides: a new source of antibiotics" <i>TiB Tech.</i> , 1998 , 16, pp82-88		
/	AH	Lehrer et al., "Defensins: Natural peptide antibiotics from neutrophils" <i>ASM News</i> , 1990 , 56, 315-318		
*	AI	Lloyd-Williams et al., "Chemical Approaches to the Synthesis of Peptides and Proteins", 1997 ,CRC Press, NY		
/	AJ	Merrifield,"Solid phase peptide synthesis. I. The synthesis of a tetrapeptide" <i>J. Amer. Chem Soc.</i> , 1963 , 85, pp 2149-2154		
/	AK	Nguyen-Dinh, P, et al., "Antiparasitic agents and susceptibility tests" <i>Manual of Clinical Microbiology</i> , 7th Edition , pp 1653-1662		
EXAMINER			DATE CONSIDERED	

*A copy of this reference will not be forwarded to the U.S. Patent and Trademark Office since it is believed to be too voluminous and easily obtainable by the Examiner.



Form PTO-1449 Modified		
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		
U.S. Department of Commerce Patent and Trademark Office		
Docket No. HER-0052		Serial No. 09/881,954
Applicant Carla H. Kuhner et al.		
Filing Date June 15, 2001		Group Not Yet Assigned
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
/	AL	Oh et al., "Structure-activity relationship study:short antimicrobial peptides" J. Peptide Res., 1998 , 56, pp 41-46
*	AM	Remington's Pharmaceutical Sciences (part 8), pp 1435-1694
*	AN	The CFTA Cosmetic Ingredient Handbook, 1992 , Second Edition
/	AO	Wakabayashi et al., " <i>N-acylated and d enantiomer derivatives of a nonamer core peptide of lactoferricin b showing improved antimicrobial activity</i> " Antimicrobial Agents and Chemotherapy, 1999 , 43, 1267-1269
EXAMINER		DATE CONSIDERED

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**List of Patent and Publications
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June 15, 2001

**Group
Not Yet Assigned**

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
/	AT	Hei 8-176190	07/09/96	Japan	X	
/	AU	2,020,148 A6	07/16/91	Spain	X	
/	AV	8 ,702,346 A1	03/16/87	Spain	X	
EXAMINER				DATE CONSIDERED		